

## AMENDMENT TO AGREEMENT FOR CITY ATTORNEY SERVICES

This Amendment to Agreement for City Attorney Services is made this \_\_\_\_ day of June, 2023, by and between the City of Garden Grove, hereinafter "City" and Woodruff and Smart, a professional corporation, hereinafter "Attorneys."

Whereas, City and Attorneys, formerly known as Woodruff, Spradlin & Smart, a professional corporation, entered into an agreement for City Attorney services in May 1992 (the "Agreement"), which was subsequently amended on June 7, 1994, September 24, 1996, June 12, 2001, and again on June 28, 2011.

Whereas, Attorneys amended their corporate name from Woodruff, Spradlin & Smart to Woodruff & Smart as of April 13, 2023.

Whereas, the parties wish to further amend the agreement to adjust the compensation to Attorneys thereof.

NOW, THEREFORE, the City and Attorneys agree that the existing Agreement for City Attorney Services, as amended, shall be further amended as follows:

A. Exhibit A to the Agreement shall be modified to include the following adjusted rates:

1. Hourly Rates for Legal Personnel. The hourly fee for all City work, advisory and litigation shall be \$245 per hour for attorneys and to \$145 per hour for paralegal and law clerk personnel, billable in increments of one-tenth of an hour (six minutes).
2. Third-Party Reimbursement. Legal services provided to the City for which the City receives reimbursement from a developer or other third party for proposed development projects pursuant to a deposit/reimbursement agreement shall be billed at the hourly rate of \$295 per hour for all attorneys.
3. CPI Adjustments. Effective July 1 of each year commencing July 1, 2024, the hourly rates for attorneys, paralegals and law clerks above, including third-party reimbursement rate, shall be increased in an amount equal to the percentage change in the Consumer Price Index for the Los Angeles-Long Beach-Anaheim Metropolitan area, urban wage earners and clerical workers, for the period of June 1-May 30 of the prior year, with an annual cap of 5%. Each hourly labor rate shall be rounded to the nearest one-dollar increment.

4. Reimbursable Expenses.

In-office photocopying:	\$0.25 per page (after 25 pages per copy job)
Mileage:	In accordance with the IRS Standard Mileage Rate
Parking at Courthouse:	Actual cost
Filing fees, messenger fees:	Actual cost
Jury fees and expert fees:	Actual cost
Word Processing:	No cost, unless overtime required, then at cost
Phone/Fax:	No cost

B. These Amendments shall become effective July 1, 2023, and shall supersede any provisions to the contrary set forth in the Agreement and any prior amendments thereto.

C. All other provisions of the Agreement not specifically amended herein shall remain in full force and effect as set forth therein.

**Attorneys:**

**Woodruff & Smart**

By: \_\_\_\_\_  
Patrick M. Desmond, President

**City:**

**City of Garden Grove**

By: \_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk